

Vacation

Declaratory
~~Improvement~~ Res. No. 921-1955

Which provides for the Vacation
of a portion of Fulton Street
and also a portion of Ewing Street
in connection with the Grade
Crossing Elimination Project at
Fort Wayne, Indiana

Resolution Adopted:

July 21, 1955

Confirmed:

Aug. 18, 1955

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Comfirmed:

Sept. 22, 1955

Doc # 921

For the Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ of a portion of Fulton Street and also a portion of Ewing Street in connection with the Grade Crossing Elimination Project at Fort Wayne, Indiana.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate a portion of Fulton Street and also a portion of Ewing Street in connection with the Grade Crossing Elimination Project at Fort Wayne, Indiana more particularly described as follows:

(See attached sheet)

All as shown by a plan of such proposed ~~Opening~~ ~~Vacation~~ ~~Condemnation of right of way for utility purposes~~ as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said vacation shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such vacation is described as follows:

~~The cost of said Vacation~~ ~~Opening~~ ~~Condemnation of right of way for utility purposes shall be assessed against the property beneficially affected thereby.~~ Lot 24, McCulloch Homestead Addition, Lot 7, Block 6, Ewing's Addition, Lot 7, Block 4, Ewing's Addition, Lot 12, Block 5, Ewing's Addition and the New York, Chicago & St. Louis Railroad Company Right of Way. Said additions inclusive to the City of Fort Wayne, Indiana.

~~The property which may be injuriously or beneficially affected by such Vacation~~ ~~Opening~~ ~~Condemnation of right of way for utility purposes is described as follows:~~

~~All lots and lands~~

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by ^{SAID} above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplemental^S thereof.

The vacation of the above described Streets ~~and alleys~~ shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.

All Streets, lots and lands affected by the above described vacation are situated in the southwest quarter of Section Two, Township 30 north, Range 12 east and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 21st DAY OF July 1935.

Attest: J. S. Hall
Secretary Board of Public Works.

Frank R. Ross
Chairman
Board of Public Works.

Vacation of a Part of Fulton Street, a/c Fort Wayne
Grade Crossing Elimination Project at Fort Wayne, Indiana

Situate in the City of Fort Wayne, Allen County, and State of Indiana, and being more particularly bounded and described as follows:

Beginning at a point which is the intersection of the Northerly line of Greeley Street, now vacated, and the Westerly line of Fulton Street, now being vacated, said point being also the Southeast corner of Sublot No. 24 in McCulloch Homestead Addition to the City of Fort Wayne;

Thence North eleven degrees, forty-five minutes, twenty-three and eight tenths seconds ($11^{\circ}45'23.8''$) West along the said Westerly line of Fulton Street, a distance of forty-six and seventy one-hundredths (46.70) feet to a point;

Thence Easterly across Fulton Street, at right angles to the last course herein described, a distance of fifty (50) feet to a point in the Easterly line of Fulton Street;

Thence South eleven degrees, forty-five minutes, twenty-three and eight tenths seconds ($11^{\circ}45'23.8''$) East along said Easterly line of Fulton Street, a distance of forty-four (44) feet, more or less, to an intersection with the Northerly line of Greeley Street, now vacated, which is also the Southwest corner of Sublot No. 7 in Block VI of Ewing's Addition to the City of Fort Wayne and is marked by an iron pin;

Thence Southerly across Greeley Street, now vacated, a distance of forty-two and six tenths (42.6) feet, more or less, to the intersection of the Southerly line of Greeley Street, now vacated, with the said Easterly line of Fulton Street, the same being marked by an iron pin;

Thence South eleven degrees, forty-two minutes, thirty-two and nine tenths seconds ($11^{\circ}42'32.9''$) East, along the said Easterly line of Fulton Street, a distance of one hundred twenty and four tenths (120.4) feet, more or less, to a point in the Southerly right-of-way line of The New York, Chicago and St. Louis Railroad Company as now established;

Thence South sixty-nine degrees, twenty-seven minutes, four and three tenths seconds ($69^{\circ}27'04.3''$) West across Fulton Street, a distance of sixty-six and eighty one-hundredths (66.80) feet to a point in the said Westerly line of Fulton Street;

Thence North eleven degrees, forty-two minutes, thirty-two and nine tenths seconds ($11^{\circ}42'32.9''$) West along said Westerly line of Fulton Street, a distance of one hundred nineteen and eight tenths (119.8) feet, more or less, to an intersection with the said Southerly line of Greeley Street, now vacated, said point being an angle point in said Westerly line of Fulton Street, and being marked by an iron pin;

Thence Northeasterly across Greeley Street, now vacated, a distance of forty-seven and seventy-five one-hundredths (47.75) feet, more or less, to the point of beginning; and containing an area of twelve thousand six hundred and fifty (12,650) square feet of land, be the same more or less.

Vacation of a Part of Ewing Street, a/c Fort Wayne
Grade Crossing Elimination Project at Fort Wayne, Indiana

Situate in the City of Fort Wayne, Allen County and State of Indiana, and being more particularly bounded and described as follows:

Beginning at a point which is the intersection of the Westerly line of Ewing Street, sixty-six (66) feet wide as now established, and the Southerly right-of-way line of The New York, Chicago and St. Louis Railroad Company as now established, said point being also the Northeast corner of Sublot No. 1 in Block VIII of Ewing's Addition to the City of Fort Wayne, and is marked by an iron pin;

Thence North eleven degrees, forty-eight minutes, four and six tenths seconds ($11^{\circ}48'04.6''$) West along the said Westerly line of Ewing Street, now being vacated, a distance of two hundred two and twenty-one one-hundredths (202.21) feet, more or less, to an intersection with the Southerly line of an Alley fourteen (14) feet wide as now established, the same being the Northeast corner of Sublot No. 12 in Block V of Ewing's Addition to the City of Fort Wayne and is marked by an iron pin;

Thence North seventy-eight degrees, twenty-one minutes, forty-five and eight tenths seconds ($78^{\circ}21'45.8''$) East across Ewing Street, a distance of sixty-six (66) feet, more or less, to a point in the Easterly line of Ewing Street, which is also the Northwest corner of Sublot No. 7 in Block IV of Ewing's Addition to the City of Fort Wayne and is marked by an iron pin;

Thence South eleven degrees, forty-eight minutes, four and six tenths seconds ($11^{\circ}48'04.6''$) East, along the said Easterly line of Ewing Street, a distance of two hundred two and seventeen one-hundredths (202.17) feet, more or less, to a point in the said Southerly right-of-way line of The New York, Chicago and St. Louis Railroad Company, said point being also the Northwest corner of Sublot No. 8 in Block IX of Ewing's Addition to the City of Fort Wayne, and is marked by an iron pin;

Thence South seventy-eight degrees, nineteen minutes, thirty-one and nine tenths seconds ($78^{\circ}19'31.9''$) West, across Ewing Street, a distance of sixty-six (66) feet, more or less, to the point of beginning; and containing an area of thirteen thousand, three hundred and forty-six (13,346) square feet of land, be the same more or less.

NICKEL PLATE ROAD

THE NEW YORK, CHICAGO AND ST. LOUIS RAILROAD COMPANY
CLEVELAND 1, OHIO

H. F. WHITMORE,
CHIEF ENGINEER
C. R. WRIGHT,
ASST. CHIEF ENGINEER
R. L. MAYS,
ASST. TO CHIEF ENGINEER

R. T. BLEWITT,
BRIDGE ENGINEER
W. E. CORNELL,
ENGINEER OF TRACK

Board of Public Works
City of Fort Wayne
Fort Wayne, Indiana

June 22, 1955

Gentlemen:

Pursuant to appropriate action taken by the City of Fort Wayne, the County of Allen, the State of Indiana, and The New York, Chicago and St. Louis Railroad Company, hereinafter called "Nickel Plate", in accordance with an Agreement dated December 30, 1947, as amended by Supplemental Agreement dated July 6, 1953, arrangements are being completed for accomplishing the elimination of existing grade crossings of the main tracks and facilities of Nickel Plate at the intersections of Fairfield Avenue - Ewing Street, Harrison Street, Calhoun Street, Clinton Street, Lafayette Street, Columbia and Clay Streets in the City of Fort Wayne, Indiana.

In order to permit the accomplishment of the Fort Wayne grade crossing elimination project, it will be necessary to vacate the parts of Fulton Street and Ewing Street, both situate in the City of Fort Wayne, as shown outlined in red on the attached, approved print of plan, file No. 371.23, dated September 3, 1954 and last revised June 1, 1955.

Therefore, pursuant to SECTION THREE of said Agreement dated December 30, 1947, as amended by ARTICLE FOUR of said Supplemental Agreement, it is hereby requested by the undersigned, with the approval of the City Engineer of the City of Fort Wayne, Indiana, that the parts of Fulton Street and Ewing Street, as described in the attached legal descriptions therefor, and as shown outlined in red on the attached approved print of plan, be vacated at this time.

Respectfully yours,

THE NEW YORK, CHICAGO AND
ST. LOUIS RAILROAD COMPANY

By H. F. Whitmore
Chief Engineer

Encls.

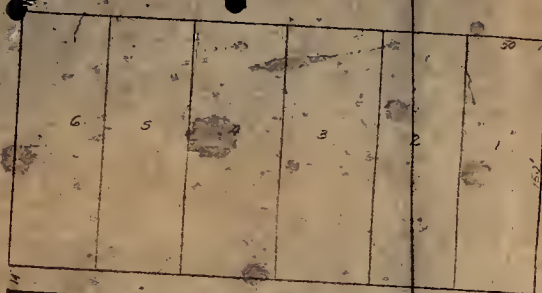
STREET 50'

VAN BUREN



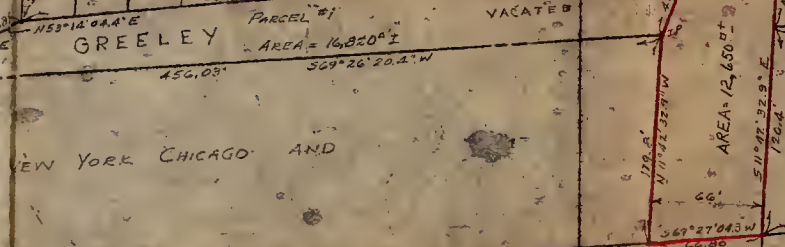
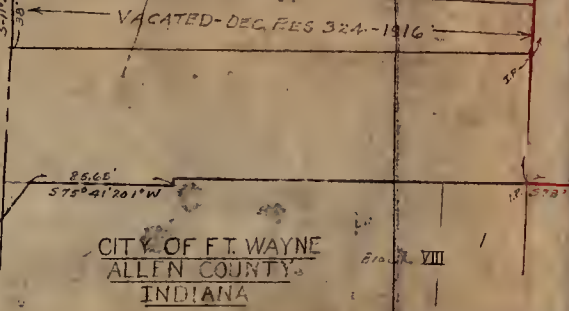
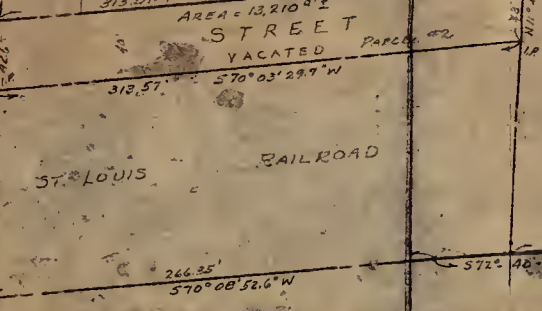
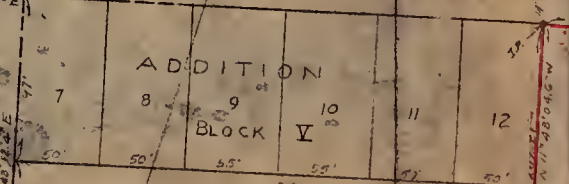
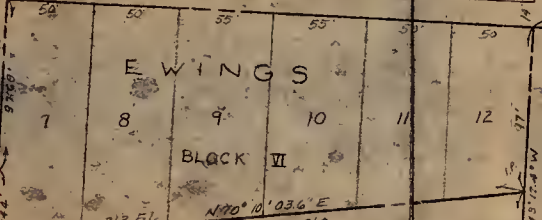
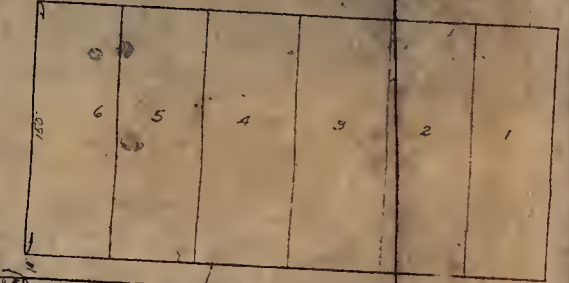
STREET 50'

STREET 50'



AVENUE 66'

FAIRFIELD



CITY OF F.T. WAYNE
ALLEN COUNTY
INDIANA

Block VIII

二六 卷 VII

3

ST. LOUIS & RAILROAD

N 78° 21' 41"

TABLET 66.

SUPERIOR

STREET

BLOCK IV
4
192-171
EWINGS

⁵ BLOCA ⁴ III

HANNA '5

LOT No. 568

APPROVED:

Chauncy B. McArthur 6-24-95
City Engineer,
Fort Wayne, Indiana

APPROVED:

Chief Engineer, The New York,
Chicago and St. Louis Railroad Company

FORT WAYNE, IND. N.K.P.

VACATION

OF STREET S.E. ALLEY
W. OF OF HITT ST. N. Y. 7. 2. 43.

30.11.1" = 50' 9-3-54

REVISED 9-7-54
" 11-3-54 FILE No 371.23

12-6-54 REV. 6-1-55

